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# PLAN OF A DIRECT ELECTION LAW FOR DETERMINING

True Primary and Final Elections by the Will  
of a Concurring Majority of all the Voters  
Concerned and at One Direct Voting.

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There are two distinct viewpoints from which the election of men to office may be considered. One of these is from the position of the mass of intelligent voters, who are aiming to secure true representatives of a majority of all the voters concerned, who are in turn to make and execute the laws for the people. The other is from the position of the office-seekers who are aiming to exploit as large a number of the voters as possible, and in some way or another secure the offices of the Government.

The proposed election law herein discussed is intended to secure true representatives of the people, through elections to be conducted wholly by the people and in the interest of all the people.

The will of a concurring majority of all the qualified voters concerned, when truthfully expressed in any election, cannot be gainsaid, nor can the conclusions of a majority be profitably delayed. To contend for the rule of a less number than a majority because they may possess superior intelligence is but to endanger ourselves to

the frequent rule of a well-organized or viciously controlled plurality whose qualifications are the least worthy of respect.

In any election, when a choice is to be made from but *two* candidates or propositions, a simple direct vote at once determines the one or the other to be the choice of a majority. But when a choice is to be made from among three or more candidates or propositions and a concurrence of a majority of all the voters is not at once assured, some *provision* must be made for reaching further concurrences.

In convened bodies, voting *viva voce*, further concurrences are reached through taking successive trial ballots, and it is only because some voters or delegates are willing to yield and adopt a second choice, and thus *add* their support to some other voter's or delegate's first choice, that further concurrences may here be secured.

And yet further, *it is only through this willingness to yield wherein some voters may adopt their second choice, and thus add their support to some other voter's first choice of candidates, that further concurrences can ever be reached, through any method of voting.*

Since many intelligent individual voters may not only have a first choice among the candidates named for any office, but may have a choice among the remaining ones, or, while being divided as to their first choices among several candidates, *may yet desire to reach further concurrences with men of like mind, in opposition to the supporters of certain objectionable candidates;* and since a willingness to yield in case a voter's first choice is not at once supported by a majority of all the voters concerned, affords the only possible basis for reaching *further concurrences*, then the naming of a second and such successive choices as a voter may see fit upon his direct ballot can alone supply the necessary *provisions*

for reaching further concurrences, and finally, the will of a concurring majority of all the voters concerned, through direct voting.

To provide for this method of conducting direct elections, let each State either amend its constitution or amend its primary and general election laws, in effect as follows:

An act to provide by law for reaching the will of a concurring majority of all the voters concerned in any primary, general or final election, at one direct voting.

Section I. At every primary, general or final election hereafter to be held in this State, including nominating elections for Senators of the United States, every qualified voter shall be permitted to add to any printed ballot made use of, and in a space to be provided for such independent voting, the name of any person or persons he may see fit. And he shall be further permitted to mark by numbers, using the numerals 1, 2, 3, and so on, to designate the order of his preference among these candidates whose names have been printed on the ballot, as well as any he may have added thereto.

Section II. A count shall be made from these ballots cast at each local polling place, which shall include, under the title of the office being voted for, the names of each candidate found upon any ballot, and separately for each candidate, the number of voters making him their first choice, the number making him their second choice, their third, and any subsequent choices, all of which, including the ballots cast, shall constitute the local returns to be sent to the county seat.

Section III. A count shall be made at the county seat from the collected returns from all the local voting districts within the county, and a similar count shall be made for any *election district* which includes either less or more than one county; and again, a similar count shall be made at the State capital from the collected

returns of the State and national elections, which shall be conducted as follows: Under the head of the office being voted for, there shall be found the whole number of voters who have made each candidate in turn their first choice, and the sum of these numbers will show the whole number of voters who have taken part in the election, while a majority will be any number in excess of one-half of these voters.

If any candidate has now received the support of a majority of all the voters concerned, or who have taken part in the contest, the election will be thus at once decided.

If, however, a majority of all the voters have not concurred, there shall then be found from the returns the number of voters who have made each candidate, in turn, their second choice, and these several numbers shall be *added*, respectively, for each candidate, to those who have before made him their first choice. These sums shall be recognized for each candidate as his new concurring, or new relative support. When each addition has been made showing the new relative support of each candidate, if anyone has thus received the concurring support of a majority of the voters, the election will now be decided. Provided, if more than one candidate has thus received the concurring support of more than a majority of the whole number of voters, the one receiving the greater support shall be declared elected.

If, however, a majority of all the voters have not yet concurred, then again from the collected returns there shall be found the number of voters making each candidate in turn their third choice, and in like manner, as before, these new provisional or alternative supports shall be added to those who have before concurred upon this candidate. When each addition has been made showing again for each candidate a new relative support, if any one has thus received the concurring support of a



majority of all the voters concerned, the election has been decided.

In this manner the count from the further returns from any election district shall proceed, until a majority of all the voters concerned in the election shall have concurred, or else until all the returns have been exhausted, when the candidate who has received the largest concurring support must be declared elected.

### Briefly Illustrated, This Method is Shown to be Both Simple and Effective.

For example, in an election for mayor of a city, where 10,000 voters are concerned and 5,001 would be a majority, several voter's ballots when marked with their first, their second, and succeeding choices, might resemble the following:

For Mayor.	For Mayor.	For Mayor.	For Mayor.
A .....	A ..... 1	A .....	A .....
B ..... 1	B ..... 3	B .....	B .....
C .....	C .....	C ..... 1	C .....
D .....	D .....	D ..... 2	D .....
E ..... 2	E ..... 2	E .....	E ..... 1

When the returns from such a direct voting have been collected, the final summary sheet would resemble the following:

Order of Choices.	Votes for A.	Votes for B.	Votes for C.	Votes for D.	Votes for E.	Whole No. Voters.	Maj. of Voters.
A's first choice ...	1,500	2,500	1,000	3,000	2,000	10,000	5,001
A's second choice.	250	300		1,000	3,500		
New relative supports .....	1,750	2,800	1,000	4,000	5,500		

This summary shows that a majority have not concurred upon the first count from the ballots. D has a

plurality support of 3,000 voters at this count, but the election is not yet determined.

Now, *since the voters who have made any candidate their second choice are different voters from those who have made the same candidate their first choice, then these two bodies of supporters may be added together for each candidate in turn, and the sums will show for each candidate a new relative concurring support.*

Upon this second count from the returns E is shown to have received the support of 5,500 *different* voters, or more than a majority of all the voters who have taken part in the election, and must be declared elected.

NOTE.—That the individual voters have *not had to drop their first choice* in order to support their second choice. Such voters now make no choice between these *two* candidates, but place either of them in full opposition to all other candidates. This is the ideal and distinctive feature in this form of ballot and method of *building up* further concurrences from these direct ballots.

There are no fallacies in this method of solving the problem of reaching further concurrences or for finding the concurring will of a majority of all the voters concerned *at one direct voting*. Any *imaginary errors* suggesting themselves from a hasty investigation of the plan will be completely dispelled when its workings have been fully and truthfully considered.

This plan of voting takes the *will* of each individual voter, freely and fully expressed *upon his ballot*—which he has dropped in the box at his local polling place—and from the collected returns determines with mathematical exactness the candidate upon whom a majority of all these voters have first concurred.

*This method of conducting direct elections will solve exactly the same problem for any organized party of voters, when they desire to determine the will of a concurring majority of all the voters concerned in making a party nomination.*

The proposed form of ballot has an *ideal* significance in that it allows each individual voter to name the order of his preferences among the candidates for any office, and thus allows him to provide for reaching further concurrences with voters of like mind with himself, while at the same time it allows him to continue his support for each candidate he has named successively, placing each in turn, in full opposition to all objectionable candidates in the field.

The method of counting from these direct ballots has again an *ideal* value in that it aims to *build up further concurrences* from the choices named upon the voter's ballots, giving each voter's ballot an equitable weight in determining the final choice, and giving each candidate a fair and equitable opportunity to secure all the support intended for him at the successive stages of the count.

Again note—that a voter does not have to *drop* his first choice in order to make his second choice effective, and so on thereafter.

This method of solving the problem of finding the will of a concurring majority at one direct voting has a universal significance. By using ballots it is equally serviceable in convened bodies; or in any election, no matter how widely scattered or how numerous are the voters, and no matter how many are the candidates, propositions or things whatsoever from which one is to be selected. It is equally applicable to an election of a town constable or, it may be used in an election of a President of the United States directly by all the voters concerned.

## Methods for Conducting Elections of Men to Office Considered from a Different Viewpoint.

OR, THROUGH SUBMISSION TO THE RULE OF A FEW MEN.

In contrast with the proposed method of conducting direct elections, which will allow the individual or direct voters to provide for further concurrences and to determine their elections by the will of a *concurring majority* of all the voters concerned, we have now:

Party primary elections to be determined through delegates, where the primary or local delegates are often selected by small *pluralities*; or are appointed in the personal interests of certain candidates. These local delegates, in conventions, may either determine local candidates, or they may select further delegates for State and National nominating conventions by majority concurrences.

In voting *viva voce* in their successive trial ballotings, a delegate or other convened voter must *drop* his first choice in order to name a second choice, and must thereby *vote against his first choice* as if he was the most objectionable candidate in the field. Because of this hesitancy about *dropping* a delegate's or other convened voter's first choice the ballotings of these convened bodies are at times greatly prolonged.

If a convened body adopts the *arbitrary rule* of *dropping* the candidate who has received the least support at each successive balloting, it may *drop* out the very candidate—representing moderate opinions—upon whom a majority of all the voters or delegates would have first concurred, as a later choice. In this manner many a good “dark horse” has been lost or dropped out without testing his worth or actual strength.

From innumerable reasons, neither party nominations



nor final elections when entrusted to a *few men* are often conducted in the interests of a majority of the voters or with any great respect for their wishes. The method of conducting elections through delegates is now well recognized as the greatest source of our constant political corruption.

We then have the final or general elections where every voter is forced to support a party nominee, or one who has been named through the above outlined "regular" party primary methods.

A final voter is today allowed but one choice, or he may remain away from the polls. For many reasons he quite often chooses the latter.

A further concurrence among the most intelligent and best qualified voters in the land is not permitted, even though they may fully recognize that their regular party nominee may be the least fitted of any of the candidates in the field from among whom one is now to be finally elected.

Thus, we have our local party candidates *named at best* by a majority of delegates, who may each have been selected by mere pluralities of the local voters; or, we have candidates named by State and National conventions of delegates who, in turn, have been elected by majorities of local conventions of delegates, and these, in turn, by local pluralities of voters, until it is quite evident that but few of the individual voters at home have had any real part in making the party nominations. And so on, again, our final elections are determined by the party voters who have supported some one of these nominees, even though this body of party voters may be but a *plurality* of all the voters who have taken part in the final election.

Neither are our party primary elections nor are our final elections of today being conducted by, nor in the interests of a majority of the voters concerned.

They are in fact, conducted by a few men who are allowed to manipulate and control the ballots of a *serviceable plurality* of the party voters, who then practically own and control the primary delegates, and yet other delegates who are re-delegated and through these delegates control our party nominations and thus indirectly our final elections.

For no better reasons than because the voters are limited to naming but one choice at our final elections, and hence are practically limited to making a choice between the *two* leading party nominees, we are today divided into *two permanent* political parties, and are submitting to government throughout our Local, Municipal, State and National affairs, through a majority of one or the other of these *two permanent* parties, instead of a government conducted by a majority of all the voters concerned in each instance.

Give the intelligent voters of any Free Government the right to go to the final polls and vote for whom they please, *and the right to provide upon their direct ballots for further concurrence with men of like minds or similar purposes with themselves*, and **permanency** of party organizations will have but little cause for further existence. *Permanency* of parties has no just place within an organization of free people: To further provide for their legal continuation or defense, is but to add a further bulwark for the continuance of political corruption through favoring the rule of a *few men*.

The so-called "direct primaries" now being legally provided for in many States as a means of avoiding submission to delegates, will yet be ineffective in securing truthful elections. While to an extent they may blot out much of the corruption which has been bred and nurtured through the system of delegating and delegate

conventions, yet they do not provide any further means for the widely scattered and diversely influenced, yet intelligent voters to reach further concurrences directly with one another.

These "direct primary elections" allow the party voters to name but one choice on their ballots; hence they must often result in the election being determined by a *plurality* choice, and where many candidates are to be selected from, the *plurality* determining the party candidate may represent but a *small fraction* of the voters concerned. This will lead enterprising office-seekers to aim to have many candidates named, and thus have the party vote greatly divided, in which case a much smaller and more easily controlled plurality may easily be made sufficient to win.

Hence again, with this plan of "direct primaries" we are yet to have party nominations determined by pluralities within each party, while our final elections are to be determined by the party which has secured the largest plurality following, even though the number of voters in either instance may be very much less than a majority of all the voters concerned. It is to be a final decision by a plurality of a plurality, which may indeed be *very* much less than a majority of all the voters who are concerned in the final election.

It is idle to attempt to preserve *permanency* of parties and at the same time hope to blot out of use the very *methods of procedure* which more than all else have developed and maintained *permanency* of party organizations, or *permanency* of the *ruling* of a *few men* within these parties.

Any method of nominating which submits to the naming, or even the suggesting of party candidates by a "COMMITTEE," even though the members of such a nominating committee have been selected by the enrolled

voters of a party, within each congressional or other district, through some method of direct election which allows a majority or, more frequently, a plurality to elect, does not differ materially from submission to *delegates* who are now similarly selected. You can not clothe these *few men* or delegated voters with some other name, or direct their acts through the use of some legal verbiage, which will in any way lessen their secret relations, or their secret bargainings with candidates for office if they so desire. If, then, the support of the candidates named by the committee are to be the test of party regularity nothing will be gained.

The same desire to secure places on these "Committees," or to become members of ruling subcommittees within the membership of such State committees, will be found to continue as heretofore. Nor can there be any reason to suppose that the same secret relationships which now obtain between candidates for office and delegates will not at once develop under the new title of these delegated voters when empowered to make or suggest the party nominations. Even if the work of such nominating committees is to be but tentative; or is to be instituted for the purpose of securing fusion with other parties; or for arranging or ameliorating factional dissents or differences within the one party; or it is intended for securing a fair distribution of the candidates among the various localities, all of such work may be much more safely entrusted to the intelligent party voters, when they have been empowered to name provisional choices upon their direct ballots, and are thus to be enabled to reach more intelligent and concerted action with their fellow-voters.

If candidates are to be named by petitions, requiring a certain number of names in order to secure a place upon the printed ballots, or if a candidate's name may be written or otherwise placed upon any ballot at the voter's



pleasure, then this open method of nominating to be conducted by the people themselves will be much safer throughout than will any nominations which are to be made by any *few men*.

There has been a constant *fiction* held out to the people which is, that a majority of any delegates who have themselves been elected by pluralities; or that a majority of every committee or subcommittee or secret conference body, acting under some delegated authority or power, fairly represents a majority of the individual voters concerned in any election. This fiction held brightly before the people has been the dazzling point, or else the misleading shadow which has allowed a few political tricksters or manipulators to work a sort of shell game on the voters everywhere. Let us now demand that a majority of the final voters concerned may hereafter alone determine our elections of men to office. Let us avoid the shadow and seek the will of the real majority of all the voters concerned.

In a "direct election" method now made use of in France and in other continental states, and elsewhere, a first election is held, and if a majority of the voters have not concurred, a second voting is then held, at which all the candidates except the *two* who have received the largest and next larger support are *arbitrarily dropped out*, and a choice must then be made between these *two*. It is here again evident that an incentive is offered to have the voters as greatly divided as possible at the first voting, so that the needed plurality, in order to win one of these places, may be small, while the final choice is then to be limited to one of these *two* candidates, neither of whom may be the true choice of a majority of all the voters concerned.

In an "Australian method," which has been proposed

for adoption in some of our States, the voters *are required* to name a *second choice* upon their ballots. Not, however, for the purpose of further concurring directly with their fellow voters, but to provide a substitute for their *first choice* when these first choice candidates have been arbitrarily *dropped* from the contest by reason of their having received the lowest support at the first, and again at each successive count made from the returns. This arbitrary *dropping* out of "low" candidates is practically based upon the same scheme for concentrating the voters as that sometimes adopted by convened bodies of voters or delegates.

By this arbitrary method of *dropping* out candidates on account of being "low" it is easily to be seen that the contest must necessarily soon be decided when the candidates have been reduced to but *two*. Yet, neither of these *two* may be the candidate upon whom a majority would truthfully have first concurred. But in the *dropping out* of candidates in this scheme of counting there is incidentally a *dropping out of voters*, on account of such voters having supported some *two* of the "low" candidates; while if the candidates are many and their supports are widely distributed, it may readily happen that but a small fraction of the voters originally concerned, will be saved to take part in the final contest.

The arbitrary method of *dropping* out of the contest, both of candidates and of voters, is greatly emphasized in this most illogical and impracticable attempt at reaching a majority concurrence at one direct voting. To drop out candidates on account of their support being "low" at the outset and thereafter is unwarrantable, but to drop out qualified voters from the final contest because they have supported some two of these "low" candidates is in its effect vicious and indefensible.

In the method of conducting direct elections I have

here proposed there is no *dropping out* of candidates, much less of voters. It is a simple plan for the *building up of further concurrences* provided for by the voters for the purpose of finding the choice of *a concurring majority of all the voters concerned*. The method is simple and entirely practicable; it is logical and truthful; it is ideal in its significance and most effective in its results, and I sincerely trust it will yet furnish a true cornerstone for truthfully conducted elections, upon which we may build A True Representative Form of Government, truthfully expressing the will of a majority of all the people.

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